

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance
(916) 322-5662

Administration
322-5660

Executive/Legal
322-5901

Enforcement
322-6441

Statements of Economic Interest
322-6444

February 15, 1985

Robert S. Bower
Rutan & Tucker
P. O. Box 1950
Costa Mesa, CA 92628

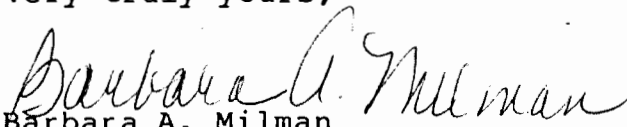
Re: A-85-029

Dear Mr. Bower:

Your letter requesting advice under the Political Reform Act has been referred to Robert E. Leidigh, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,


Barbara A. Milman
General Counsel

BAM:nwm

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March 1, 1985

Robert S. Bower
City Attorney of San Fernando
Rutan & Tucker
P.O. Box 1950
Costa Mesa, CA 92626

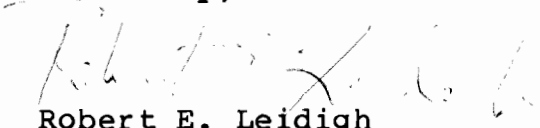
Re: Your Request for Advice
Our No. A-85-029

Dear Mr. Bower:

We are in receipt of your letter on behalf of the City of San Fernando seeking advice as to the possible requirement for disqualification of one of its councilmembers, who is not named in the letter. Under Government Code Section 83114(b) and Commission regulation 2 Cal. Adm. Code Section 18329, we are unable to provide the City as a third party, with advice about the duties or obligations of one of its councilmembers. If the councilmember wishes to request our advice, she may do so either directly, through private counsel, or through your office (so long as it is specifically authorized by her). However, since we are not rendering advice, this letter provides no immunity from possible enforcement proceedings and she proceeds at her own risk in acting upon advice of private counsel.

We have reviewed your legal memorandum dated November 18, 1983, and find the legal analysis to be sound. We enclose copies of several advice letters which you may find helpful. Should you have any questions regarding this letter, I may be reached at (916) 322-5901.

Sincerely,


Robert E. Leidigh
Counsel
Legal Division

REL:plh
Enclosures

Advice Letter to Raymond Haight, No. A-84-209 (with follow-up)
Advice Letter to Mary Chapman, No. A-84-195
Advice Letter to Charles D. Haughton, No. A-84-169
Advice Letter to Charles D. Haughton, No. A-84-327